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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/843,760	04/30/2001	Lawrence M. Besaw	10006612-1	9179

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HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER
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CHANKONG, DOHM

ART UNIT	PAPER NUMBER
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2152

MAIL DATE	DELIVERY MODE
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07/31/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

09/843,760

Applicant(s)

BESAW, LAWRENCE M.

Examiner

Dohm Chankong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 July 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 21-53 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21-53 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1> This action is in response to Applicant's request for continued examination. Claims 21, 26 and 41 are amended. Claims 21-53 are presented for further examination.

2> This is a non-final rejection.

#### *Continued Examination Under 37 CFR 1.114*

3> A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7.2.2007 has been entered.

#### *Response to Arguments*

4> Examiner acknowledges Applicant's note that dependent claim 40 lacks a ground of rejection. This oversight is corrected in this action.

5> Applicant's amendment of the claims do not overcome the prior art references.

Applicant has amended the claims to recite that the display filter is definable by the customer and not subject to the control of the service provider. This new limitation suffers from §112, 1<sup>st</sup> paragraph issues as further described below. This limitation is not sufficiently described in

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the disclosure. Therefore the limitation is merely given its broadest reasonable interpretation consistent with what one of ordinary skill in the art known at the time of the invention.

Applicant argues that Dobbins does not disclose this limitation and cites paragraph 17 which states that “the subscriber also has some administrative controls, but only at the discretion of the content provider and the network provider.” However, this statement does not teach away from the claimed limitation because it relates merely to the level of administrative power a subscriber will have (for example, if the subscriber has administrative privileges).

Applicant’s limitation relates to a display filter and to whether or not the service provider has control over the display filter. As set forth in previous Office actions, Dobbins’ subscriber profile is analogous to Applicant’s claimed display filter. The analysis should then center on whether Dobbins’ subscriber’s profile is “subject to the control of a service provider.” Dobbins neither discloses that a profile can or cannot be controlled by a provider; thus, Dobbins does not teach away from Applicant’s limitation.

#### *Claim Rejections - 35 USC § 112*

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6> Claims 21-53 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the

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relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

While there is nothing ambiguous or uncertain about a negative limitation, any such limitation must have basis in the original disclosure. MPEP §2173.05(i). Here, Applicant has amended the independent claims to recite that the display filter is definable by the customer and *not subject to the control of the service provider*. After a careful review, the Examiner was unable to find any basis for this negative limitation in Applicant's disclosure.

In fact, Applicant's disclosure seems to contradict this limitation and suggests otherwise. For example, Applicant's abstract recites that the "dynamic information filtering system comprises a filter...maintained and updated by the service provider." Based on the foregoing discussion, Examiner submits that the claims fail to comply with the written description requirement.

#### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7> This rejection will only formally address those claims that have been amended by Applicant in the most recent amendment, filed 7.2.2007. The text of those sections of Title 35, U.S. Code not included in this action can be found in prior Office actions.

8> Claims 21, 22, 26-28, 30, 32, 37-39, 40-43, 45, 47, 52 and 53 are rejected under 35 U.S.C § 103(a) as being unpatentable over Dobbins et al, U.S Patent Publication No. 2002|0066033 [“Dobbins”], in view of Lim, in further view of Szabo, U.S Patent No. 7,181,438.

9> As to claim 21, Dobbins discloses a method for filtering on-line service information provided through a management portal to a customer of customized network services provided by resources of a service provider via a service provider network, comprising:

applying to said service provider network a security filter definable by the service provider and not the customer, said security filter corresponding to the customer and said security filter specifying network resources allocated to that customer [0009, 0024, 0043 where : Dobbins discloses policies controllable by the administrator that determine which content and network resources a particular subscriber has access];

applying to said network resources a display filter definable by the customer, said display filter specifying network resources for which said on-line service information is desired by the customer [0023-0026, 0039-0043 : after applying the authentication policy, Dobbins' system applies the subscriber's profile to further refine which content and services that the user desires]; and

executing at least one management information module to generate a portal display of on-line service information, wherein said at least one management information module operates only on those network resources of said service provider network which have not been excluded by said security filter and said display filter [0025, 0036, 0037 where : Dobbins'

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renderer delivers a portal containing the data and content refined by the user policies], and wherein the displayed on-line service information comprises network management information regarding the network resources not excluded by said security filter and display filter [0028 : see response above for discussion].

Dobbins does disclose a service provider network, but does not expressly disclose the service network or the resources are included in a partitioned network. Dobbins does not expressly disclose that the display filter is not subject to the control of the service provider.

10> In a similar field of invention, Lim is directed towards a system enabling a service provider to manage its services partition its network resources into different networks associated with different customers [column 1 «lines 37-62» | column 20 «lines 61-62»]. Lim discloses network resources of a partitioned network allocated to a customer with the partitioned network including at least a portion of said service provider network [column 25-29» | column 21 «lines 28 and 46-64» | column 22 «lines 24-40»]. In other words Dobbins discloses an invention that enables management and monitoring of network resources. Lim discloses an invention that enables management and monitoring of network resources utilizing a partitioned network for each customer. Lim discloses that benefits of partitioning networks includes providing a more service-oriented view and enabling more efficient management of resources.

Thus, it would have been obvious to one of ordinary skill in the art to modify Dobbins' management system to include the partitioned networks taught by Lim. As discussed, incorporating partitioned networks would provide an expected benefit to Dobbins

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by providing a service provider the ability to divide network resources and allocate them to customers. The combination of Dobbins and Lim discloses Applicant's invention in the manner claimed.

11> In a similar field of invention, Szabo is directed to a system providing personalized data access to users, through for example, portals [column 86 «lines 13-34» | column 90 «lines 12-23»]. Szabo discloses a display filter (analogous to a user's profile) is not subject to the control of the service provider [abstract : "physical and algorithmic controls over access to the personal profiles | column 41 «lines 1-9» where : the user controls who has access to his user profile. This user profile is analogous to Applicant's display filter and Dobbins' subscriber profile]. It would have been obvious to one of ordinary skill in the art to incorporate Szabo's teachings into Dobbins. One would have been motivated to modify Dobbins' profile to be more secure as taught by Szabo to enhance the security over who has access to the profile's information.

12> As to claim 26, Dobbins discloses a method for filtering on-line service information presented through a management portal to a customer of customized network services provided by resources of a service provider network, comprising:

storing, in a configuration database accessible by a service provider and not the customer, security filters each specifying network resources of a partitioned network allocated to a corresponding customer [0010, 0017, 0023];



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providing a plurality of modules each configured to provide a respective portal display of on-line service information [0021, 0024, 0027];

storing, in a filter library accessible to the customer, display filters each configured by the customer [0039-0043] to specify customer-selected network resources to which selected ones of said plurality of modules it to be applied [0010, 0017, 0023, 0036];

displaying a portal display of on-line service information generated from application of one of said plurality of modules to network resources resulting from application to the service provider network of a security filter corresponding to the customer and at least one said display filters [0009, 0010, 0017, 0023, 0036, 0037], and wherein the displayed on-line service information comprises network management information regarding the network resources not excluded by said security filter and display filter [0028 : see response above for discussion].

Dobbins does not expressly disclose partitioning the service provider network into a plurality of partitioned networks nor does he disclose allocating one of said partitioned networks to the customer. Dobbins also does not expressly disclose that each display filter is not subject to the control of the service provider.

13> In a similar field of invention, Lim is directed towards a system enabling a service provider to manage its services partition its network resources into different networks associated with different customers [column 1 «lines 37-62» | column 20 «lines 61-62»]. Lim discloses network resources of a partitioned network allocated to a customer with the partitioned network including at least a portion of said service provider network [column 25-

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29» | column 21 «lines 28 and 46-64» | column 22 «lines 24-40»]. In other words Dobbins discloses an invention that enables management and monitoring of network resources. Lim discloses an invention that enables management and monitoring of network resources utilizing a partitioned network for each customer. Lim discloses that benefits of partitioning networks includes providing a more service-oriented view and enabling more efficient management of resources.

Thus, it would have been obvious to one of ordinary skill in the art to modify Dobbins' management system to include the partitioned networks taught by Lim. As discussed, incorporating partitioned networks would provide an expected benefit to Dobbins by providing a service provider the ability to divide network resources and allocate them to customers. The combination of Dobbins and Lim discloses Applicant's invention in the manner claimed.

14> In a similar field of invention, Szabo is directed to a system providing personalized data access to users, through for example, portals [column 86 «lines 13-34» | column 90 «lines 12-23»]. Szabo discloses a display filter (analogous to a user's profile) is not subject to the control of the service provider [abstract : "physical and algorithmic controls over access to the personal profiles | column 41 «lines 1-9» where : the user controls who has access to his user profile. This user profile is analogous to Applicant's display filter and Dobbins' subscriber profile]. It would have been obvious to one of ordinary skill in the art to incorporate Szabo's teachings into Dobbins. One would have been motivated to modify

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Dobbins' profile to be more secure as taught by Szabo to enhance the security over who has access to the profile's information.

15> As to claim 40, Dobbins discloses invoking at least one of said display filters by invoking one of said modules [0024, 0037 : retrieving the profile].

16> As to claim 41, as it does not teach or further define over the claimed limitations, it is similarly rejected for the reasons set forth for claims 21 and 26.

17> Claims 23-25, 31, 33-36, 46 and 48-51 are rejected under 35 U.S.C § 103(a) as being unpatentable over Dobbins, Lim and Szabo, in further view of Rangarajan et al, U.S Patent No. 6,275,225, ["Rangarajan"].

18> Claims 29 and 44 are rejected under 35 U.S.C § 103(a) as being unpatentable over Dobbins, Lim and Szabo, in further view of Teijido et al, U.S Patent No. 2002|0053020 ["Teijido"].

### **Conclusion**

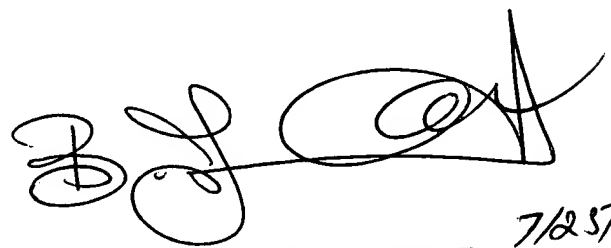
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dohm Chankong whose telephone number is 571.272.3942. The examiner can normally be reached on Monday-Friday [8:30 AM to 4:30 PM].

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571.272.3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DC



7/25/7

BUNJOB JAROENCHONWANIT  
SUPERVISORY PATENT EXAMINER